

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Dennis M. Cavanaugh
v. : Criminal No. 10-158 (DMC)
CULLEN DARBY : SCHEDULING AND CONTINUANCE ORDER


This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (by Lee Vartan, Assistant U.S. Attorney), and defendant Cullen Darby (by John Yauch, Esq.), for an order setting the trial schedule in this matter and for an order granting a continuance of the proceedings in this matter:

IT IS ORDERED that the trial in this matter is set for September 13, 2011; and

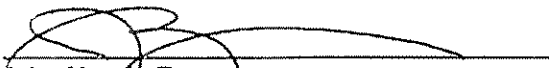
IT IS FURTHER ORDERED that the period from May 3, 2011 through September 13, 2011 shall be excludable in computing time under the Speedy Trial Act of 1974 because: (1) the parties are continuing to engage in discussions concerning entering into a plea agreement, and the defendant desires additional time to review discovery, and both the United States and the defendant seek additional time to pursue such discussions, which may render trial of this matter unnecessary; (2) the defendant has consented to the continuance; (3) the grant of a continuance will likely conserve judicial resources; and (4) pursuant to Title 18 of the United States Code, Section 3161(h)(7)(A), the ends of justice served by granting the continuance


outweigh the best interests of the public and the defendant in a speedy trial.

Dated: April 18, 2011


HON. DENNIS M. CAVANAUGH
United States District Judge

Consented and Agreed to by:


John Yauch, Esq.
Counsel for defendant Darby


Lee Vartan
Assistant U.S. Attorney